



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,416	11/26/2003	Amit Bagga	503048-A-01-US (Bagga)	2635
47702 7590 10/10/2007 RYAN, MASON & LEWIS, LLP 1300 POST ROAD SUITE 205 FAIRFIELD, CT 06824			EXAMINER PATEL, NIRAV B	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 10/10/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/723,416

Applicant(s)

BAGGA ET AL.

Examiner

Nirav Patel

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2007 (Amendment).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. Applicant's amendment filed on July 30, 2007 has been entered. Claims 1-25 are pending. Claims 1, 13 and 25 are amended by the applicant.

2. The Office would like to notify the Applicant that there has been a change in Examiner to conduct the future examination and prosecution processes of the currently pending application.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 25 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 25 recites "An article of manufacture for generating a password for a user, comprising a *machine readable medium* containing one or more programs..." The computer-readable medium of claim 25 is comprised transmission medium [specification 13 lines 10-20, The computer readable medium may be a recordable medium (e.g., floppy disks, hard drives, compact disks, or memory cards) or may be a *transmission medium*...]. Based on the cited disclosure above, it is determined that the *machine readable medium* carrying a signal recites a non-statutory matter. Therefore, Claim 25 is rejected under 35 USC 101.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-6, 8, 13, 16-18, 20 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Connell (US Patent No. 5,991,882) and in view P-Synch Installation and Configuration Guide (May 2002).

As per claim 1, O'Connell teaches:

presenting said user with at least one topic [Fig. 3]; receiving one or more personal details from said user associated with said at least one topic [Fig. 3]; recording said one or more personal details for said user [col. 2 lines 1-2, Fig. 1].

O'Connell teaches receiving the personal details from said user and verifying said one or more personal details [Fig. 3 or 4, 5]. O'Connell doesn't expressly teach ensuring that said user cannot be correlated with said one or more personal details based on one or more predefined correlation rules.

P-Synch teaches: ensuring that said user cannot be correlated with said one or more personal details based on one or more predefined correlation rules; and recording said one or more personal details as a password for said user [page 124 line 1, page 126, Fig. 10.5 –page 112].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine P-Synch with O'Connell, since one would have been motivated to generate strong password [P-Synch, page 2 lines 17-21].

As per claim 4, the rejection of claim 1 is incorporated and P-Synch teaches:
said correlation rules are based on said at least one topic [page 124-126].

As per claim 5, the rejection of claim 1 is incorporated and P-Synch teaches:
said one or more predefined correlation rules ensure that answers to user selected questions cannot be qualitatively correlated with said user [page 124 line 1, page 126].

As per claim 6, the rejection of claim 1 is incorporated and P-Synch teaches:
said one or more predefined correlation rules ensure that answers to user selected questions cannot be quantitatively correlated with said user [page 124 line 1, page 126].

As per claim 8, the rejection of claim 1 is incorporated and O'Connell teaches said one or more personal details are related to a personal fact from a past of said user [Fig. 3 or 4].

As per claims 13 and 25, they encompass limitations that are similar to limitations of claim 1. Thus, they are rejected with the same rationale applied against claim 1 above.

Art Unit: 2135

As per claim 16, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 4. Thus, it is rejected with the same rationale applied against claim 4 above.

As per claim 17, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 5. Thus, it is rejected with the same rationale applied against claim 5 above.

As per claim 18, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 6. Thus, it is rejected with the same rationale applied against claim 6 above.

As per claim 20, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 8. Thus, it is rejected with the same rationale applied against claim 8 above.

5. Claims 2, 3, 7, 11, 14, 15, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Connell (US Patent No. 5,991,882) and in view P-Synch Installation and Configuration Guide (May 2002) and in view of Honarvar et al (US Patent No. 7,231,657).

Art Unit: 2135

As per claim 2, the rejection of claim 1 is incorporated and O'Connell teaches resenting said user with at least one topic [Fig. 3]; receiving one or more personal details from said user associated with said at least one topic [Fig. 3].

Honarvar teaches receiving a reminder associated with each of said one or more personal details [Fig. 25].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Honarvar with O'Connell and P-Synch, since one would have been motivated to provide access and service to user by detecting fraud and verifying the identity using dynamically customizable system [Honarvar, col. 1 lines 21-27].

As per claim 3, the rejection of claim 1 is incorporated and Honarvar teaches: presenting said user with a plurality of topics and receiving a user selection of said at least one topic [Fig. 23].

As per claim 7, the rejection of claim 1 is incorporated and Honarvar teaches: sending said one or more personal details to said user [Fig. 25, 30].

P-Synch teaches one or more personal details to said user as reinforcement of said password [page 1, page 126].

As per claim 11, the rejection of claim 1 is incorporated and Honarvar teaches:

Art Unit: 2135

said one or more personal details can be tested during a verification phase using one or more of Boolean, multiple choice, numeric or textual queries [Fig. 26, 30, 31].

As per claim 14, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 2. Thus, it is rejected with the same rationale applied against claim 2 above.

As per claim 15, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 3. Thus, it is rejected with the same rationale applied against claim 3 above.

As per claim 19, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 7. Thus, it is rejected with the same rationale applied against claim 7 above.

As per claim 23, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 11. Thus, it is rejected with the same rationale applied against claim 11 above.

6. Claims 9, 10, 12, 21, 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Connell (US Patent No. 5,991,882) and in view P-Synch

Installation and Configuration Guide (May 2002) and in view of Kanevsky et al (US Patent No. 5,774,525).

As per claim 9, the rejection of claim 1 is incorporated and O'Connell teaches receiving the personal detail from the user [Fig. 3 or 4].

Kanevsky teaches said one or more personal details are related to an experience of said user in connection with a public event [col. 3 lines 31-45].

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Kanevsky with O'Connell and P-Synch, since one would have been motivated to provide dynamic questioning to provide secure access control [Kanevsky, col. 2 lines 7-8].

As per claim 10, the rejection of claim 1 is incorporated and Kanevsky teaches said one or more personal details are related to an experience of said user in connection with a private event [col. 3 lines 31-45].

As per claim 12, the rejection of claim 1 is incorporated and Kanevsky teaches said at least one topic is selected based on psychological insights [col. 5 lines 60-65].

As per claim 21, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 9. Thus, it is rejected with the same rationale applied against claim 9 above.

As per claim 22, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 10. Thus, it is rejected with the same rationale applied against claim 10 above.

As per claim 24, the rejection of claim 13 is incorporated and it encompasses limitations that are similar to limitations of claim 12. Thus, it is rejected with the same rationale applied against claim 12 above.

Response to Amendment

7. Applicant has amended claims 1, 13 and 25 which necessitated new ground of rejection. See rejection above.

Applicant has amended claim 25, however, the newly amended claims have not overcome 35 U.S.C. 101 deficiency. See 35 U.S.C. 101 rejection above.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nelson et al (US 7062655) – Method, system and storage medium for determining trivial keyboard sequences of proposed passwords.

Casco-Arias et al (US 2004/0250141) --- Method, system and computer program products that centrally manage password policies

French et al (US 7234156) – System and method for authentication of network user

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

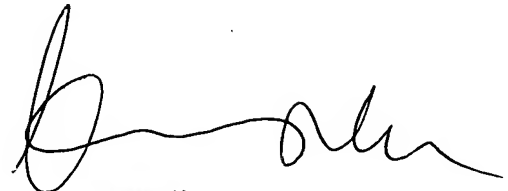
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nirav Patel whose telephone number is 571-272-5936. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-

Art Unit: 2135

273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

NBP

10/3/07

A handwritten signature in black ink, appearing to read 'Kim Vu', with a stylized, flowing script.

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER